

REMARKS

Claims 2-12, 14-17, 19-22, 24-30, and 32-35 are pending in the present application. In the above amendments, claims 5-7, 9, 14, 22, 24-27, 29, 30, and 35 have been amended and Claims 36-38 are added. Therefore, after entry of the above amendments, claims 2-12, 14-17, 19-22, 24-30, and 32-38 will be still pending in this application. Applicants believe that the present application is now in condition for allowance, which prompt and favorable action is respectfully requested.

1. Rejection under 35 U.S.C. 102(b)

The Examiner rejected Claims 2-7, 9-12, 14-17, 19-22, 24-30, and 32-35 as being allegedly anticipated by McTuffin (U.S. Patent No. 5,046,550). Applicants respectfully respond to this rejection.

Applicants respectfully submit that McTuffin does not disclose the invention as now claimed. Specifically, McTuffin does not disclose "transmitting said data origination message, said information needed to construct data network header information at said receiving station, and said formatted information to said receiving station" in the order specified in Claims 5, 7, 9, 22, 24, 25, and 29, or "receiving a data origination message from a communication device, . . . , receiving information needed to construct datagrams at said receiving station, . . . , receiving formatted information from said communication device," in the order specified in Claim 35. On the contrary, McTuffin discloses that the information field and the translated (coded) VPI and VCI header fields are fed to the transmitter equipment 2, (col. 2, line 66, to col. 3, line 4), without indicating in what order.

Applicants further respectfully submit that McTuffin does not disclose "formatted information is transmitted after an acknowledgement has been received from said receiving station," per Claims 6, 7, 24, 30, 36-37, or "said formatted information is received after an acknowledgement has been transmitted to said communication device," per Claim 38 because, as stated above, McTuffin does not specify any order for sending such information.

Applicants also respectfully submit that McTuffin does not disclose "formatting information to be transmitted in accordance with a pre-determined format, said pre-determined format lacking data network header information," as claimed in Claims 5, 7, 9,

22, 24, 25, and 29, or “receiving formatted information from said communication device to be transmitted to said destination device,” as claimed in Claim 35. On the contrary, McTuffin discloses that the information field is fed to the transmitter equipment 2, (col. 2, lines 66 to 67), without being formatted.

Therefore, since MCTuffin does not disclose at least the above limitations, Applicants respectfully request the Examiner to withdraw this rejection.

2. Rejection under 35 U.S.C. 103(a)

The Examiner rejected Claim 8 as being allegedly unpatentable over McTuffin (U.S. Patent No. 5,046,550). Applicants respectfully respond to this rejection.

Applicants respectfully submit that McTuffin does not disclose the claimed invention as discussed above in connection with Claim 5. Therefore, since MCTuffin does not disclose at least the above limitations, Applicants respectfully request the Examiner to withdraw this rejection.

3. New Claims

Applicants have added new claims 36-38, directed to subject matter calimed in pending Claim 6. No new matter is added.

CONCLUSION

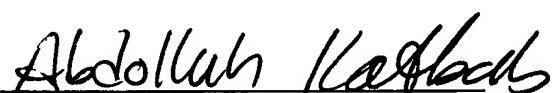
In light of the amendments contained herein, Applicants submit that the application is in condition for allowance, for which early action is requested.

Please charge any fees or overpayments that may be due with this response to Deposit Account No. 17-0026.

Respectfully submitted,

Dated: March 17, 2004

By:


Abdollah Katbab

Abdollah Katbab, Reg. No. 45,325

(858) 651-4132

QUALCOMM Incorporated
Attn: Patent Department
5775 Morehouse Drive
San Diego, California 92121-1714
Telephone: (858) 658-5787
Facsimile: (858) 658-2502